

Docket No.: 197759US0PCT

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF:

Akihiro KISHISHITA, et al.

SERIAL NO.: 09/708,006

FILED: NOVEMBER 8, 2000

:

: GROUP ART UNIT: 1623

:

: EXAMINER: P.A. ZUCKER



FOR: NOVEL ASPARTAME DERIVATIVE CRYSTAL AND PROCESS FOR
PRODUCING THE SAME

AMENDMENT AND REQUEST FOR RECONSIDERATION

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

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SIR:

In response to the Office Action mailed December 4, 2001, Applicants request reconsideration of the above-identified application in view of the following amendments and remarks.

IN THE CLAIMS

Please amend the claims as shown in the marked-up copy as follows:

1. (Twice Amended) A crystal of N-[N-(3,3-dimethylbutyl)-L- α -aspartyl]-L-phenylalanine methyl ester showing a characteristic X-ray diffraction peak at a diffraction angle, 2θ , measured using a $\text{CuK}\alpha$ ray, of about 7.1° .
2. (Twice Amended) A process for producing the crystal according to claim 1, which comprises drying N-[N-(3,3-dimethylbutyl)-L- α -aspartyl]-L-phenylalanine methyl ester showing a characteristic X-ray diffraction peak at a diffraction angle, 2θ , measured

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WASHINGTON, D.C. 20231

SIR:

Transmitted herewith is an **amendment w/ marked-up copy** in the above-identified application.

- ☐ No additional fee is required
- ☐ Small entity status of this application under 37 C.F.R. §1.9 and §1.27 is claimed.
- ☒ Additional documents filed herewith: **Information Disclosure Statement**
PTO-Form 1449
Cited Reference (1)

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The Fee has been calculated as shown below:

The Fee has been calculated as shown below:

CLAIMS	CLAIMS REMAINING		HIGHEST NUMBER PREVIOUSLY PAID	NO. EXTRA CLAIMS	RATE	CALCULATIONS
TOTAL	15	MINUS	20	0	× \$18 =	\$0.00
INDEPENDENT	2	MINUS	3	0	× \$84 =	\$0.00
		<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS			+ \$280 =	\$0.00
		TOTAL OF ABOVE CALCULATIONS				\$0.00
		<input type="checkbox"/> Reduction by 50% for filing by Small Entity				\$0.00
		<input type="checkbox"/> Recordation of Assignment			+ \$40 =	\$0.00
		TOTAL				\$0.00

☒ A check in the amount of **\$180.00** is attached.

☒ Please charge any additional Fees for the papers being filed herewith and for which no check is enclosed herewith, or credit any overpayment to deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

☒ If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time may be charged to Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Norman F. Oblon

Registration No. 24,618

Stephen G. Baxter

Registration No. 32,884

Vincent K. Shier, Ph.D.

Registration No. 50,552



22850

Customer Number 22850
Tel. (703) 413-3000
Fax. (703) 413-2220
(OSMMN 10/01)